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September 20, 2002

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Notice of *Ex Parte* Communications in WC Docket Nos. 02-201 and 96-98

Dear Ms. Dortch:

On September 19, 2002, Leonard Steinberg of Alaska Communications Systems, Inc. ("ACS"), Elizabeth Park of Latham & Watkins, and I met with the following: (1) Commissioner Martin and Daniel Gonzalez; (2) Commissioner Abernathy and Matthew Brill; (3) William Maher, Jeffrey Carlisle, Scott Bergmann, Ann Stevens, and Jonathan Reel. On September 20, 2002, we met with Jordan Goldstein.

During the meetings, we discussed ACS's arguments for Commission preemption set forth in ACS's *Emergency Petition for Declaratory Ruling and Other Relief Pursuant to Sections 201(b) and 252(e)(5) of the Communications Act*. Attached is an outline presented at the meetings summarizing the arguments in support of preemption by the Commission in setting rates for unbundled network elements ("UNEs") in Anchorage and Fairbanks. Additionally, Mr. Steinberg described the financial impact that the current UNE rates and level of competition have had on ACS.

Finally, we inquired about the status of ACS's Petition for Reconsideration filed on September 26, 2001, requesting reconsideration of the burden of proof applicable for a termination of an local exchange carrier's rural exemption.

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Please direct any questions concerning this matter to me.

Very truly yours,

/s/ Karen Brinkmann

Karen Brinkmann

cc: Commissioner Abernathy
Commissioner Martin
Matthew Brill
Daniel Gonzalez
Jordan Goldstein
William Maher
Jeffrey Carlisle
Scott Bergmann
Ann Stevens
Jonathan Reel